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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Confirmation No. 6456
Stephen GOLD et al. : Art Unit: 2172
Serial No.: 09/826,811 : Examiner: Baoquoc N. To
Filed: April 6, 2001 :
For: QUOTA MANAGEMENT IN CLIENT SIDE DATA STORAGE BACK-UP :

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS AND STATEMENT REGARDING EXTENSION FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 12, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner finally rejecting claims 21-47. Authorization for payment of the \$330 appeal fee is attached.

To the extent necessary, Applicants request an extension of time under 37 C.F.R. §1.136 in which to file this paper, and the Commissioner is hereby authorized to charge any required fees to counsel's Deposit Account No. 07-1337. However, **no extension fee should be required** as explained below:

- The USPTO mailed a final rejection on November 19, 2003.
- Applicants filed a responsive Amendment on Tuesday, January 20, 2004 (Monday, January 19, being a federal holiday), i.e., two months after the mailing date of the final rejection.

05/13/2004 RNEBROHT 00000154 09826811

01 FC:1401

330.00 OP

02/18/2005 CCURTIS 00000001 071337 09826811

01 FC:1253

930.00 DA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

GOLD, STEPHEN

U.S. Patent Application No. 09/826,811

Filed: April 6, 2001

For: QUOTA MANAGEMENT IN CLIENT SIDE DATA STORAGE BACK-UP

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.

- ☒ No additional fee is required.
- ☐ Small entity status of this application has been established.
- ☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	21	27	0	x \$ 18 =	\$ 0.00
Independent Claims	6	7	0	x \$ 86 =	\$ 0.00
If multiple dependant claims newly presented, add \$290.00					
Fee for extension of time					
TOTAL FEE DUE					\$ 0.00

- ☐ A credit card authorization form in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 07-1337, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

Allan M. Lowe
Allan M. Lowe
Registration No.: 19,641

USPTO Customer No. 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111 AML/gmj
(703) 518-5499 Facsimile
January 20, 2004

Certificate of Mailing

I hereby certify this correspondence is
being deposited with the United States Postal Service as
first class mail in an envelope addressed to: (Commissioner for
Patents P.O. Box 1460 Alexandria, VA 22313-1460)

On January 20 2004
G. Mitchell Jones



EXPEDITED PROCEDURE
Response under 37 CFR 1.116

Group Art Unit: 2172
Examiner: B. To

Corres. and Mail

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JAN 27 2004

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